

DETAILED ACTION

Response to Amendment

1. In response to the Amendment received on 1/05/2010, the examiner has carefully considered the amendments. The examiner acknowledges the cancellation of claim 2. The Declaration under 37 CFR 1.132 filed January 05, 2010 is insufficient to overcome the rejection of claims 1-24 based upon Nakagawa et al and JP09-309944 as set forth in the last Office action because: 1) It is not clear if the polymer in comparative example 2 is the same as found in the cite prior arts example 9 or if the polymer is that of the production example found in the instant application and declaration.

Response to Arguments

2. Applicant's arguments, see Remarks/Arguments, filed January 10, 2010, with respect to claims 1-24 have been fully considered and are persuasive. The rejection of claims 1 and 20-21 under 35 USC 102(b) as being anticipated by JP 09-309944 has been withdrawn. JP'944 fails to set forth the instantly claimed vinyl polymer having two or more groups represented by the formula found in instant claim 1 and has a main chain that comprises (meth) acrylic monomer units as a main component. JP'944 sets forth an (meth) acrylic modified phenolic resin in combination with an epoxy resin with photo-radical and photocationic initiators. The rejection of claims 23-24 under 35 USC 103(a) as being unpatentable over JP'944 (as cited previously) has been withdrawn. This rejection is being withdrawn for the same reasons as found above. The rejection of claims 1-22 under 35 USC 103(a) as being unpatentable over Nakagawa et al (6,964,999) has been withdrawn. Nakagawa et al fails to set forth using an unmodified epoxy resin. Even though Nakagawa et al does set forth that epoxy acrylate oligomers can be added, Nakagawa et al fails to give guidance and/or direction on the amounts to be formulated into the composition if an ordinary artisan was to use said epoxy acrylate resin. Additionally, it appears that Nakagawa et al does not intend for other monomers and/or oligomers be added to help prevent premature emanation of the odors associated with unreacted monomers in the cured composition—see column 19, lines 39-42. Therefore the instant invention is distinguished over the cited prior art.

Regarding the arguments for the IDS filed January 31, 2007, the examiner has reviewed the copy of the Written Opinion. However, the written opinion is not presented on a PTO-1449 and therefore will not be printed on the face of the patented file as prior art/publications. The references cited in the Search Report PCT/JP2005/005510 have been considered, but will not be listed on any patent resulting from this application because they were not provided on a separate list in compliance with 37 CFR 1.98(a)(1). In order to have the references printed on such resulting patent, a separate listing, preferably on a PTO/SB08A and 08B form, must be filed within ONE MONTH of the mailing date of this communication. NO EXTENSION OF TIME WILL BE GRANTED UNDER EITHER 37 CFR 1.136(a) OR (b) to comply with this requirement.

Allowable Subject Matter

3. Claims 1 and 3-24 allowed.
4. The following is an examiner's statement of reasons for allowance: the prior art, alone or in combination, fails to set forth and/or render obvious a composition requiring components (A), (B), (C) and (D), wherein (A) is a vinyl polymer having two or more groups represented by the general formula (1) as found in instant claim 1 and wherein the vinyl monomer constituting the main chain of said vinyl polymer comprises a (meth) acrylic monomer unit as a main component and a (meth) acryloyl group exists at the molecular end.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sanza L. McClendon whose telephone number is (571) 272-1074. The examiner can normally be reached on Monday through Friday 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on (571) 272-1078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sanza L McClendon/
Primary Examiner
Art Unit 1796

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